

House Bill 854

By: Representatives Hamilton of the 23rd, Jerguson of the 22nd, Hembree of the 67th, Amerson of the 9th, Powell of the 171st, and others

A BILL TO BE ENTITLED
AN ACT

To amend Part 3 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, "The Small Business Assistance Act of 1975," so as to provide for changes to certain provisions relating to definitions relative to small business assistance; to change a short title; to revise provisions relating to the composition of the advisory council; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 3 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, "The Small Business Assistance Act of 1975," is amended by revising Code Section 50-5-120, relating to a short title, as follows:

"50-5-120.

This part shall be known and may be cited as 'The Small Business Assistance Act of ~~1975~~ 2012."

SECTION 2.

Said part is further amended by revising Code Section 50-5-121, relating to definitions, as follows:

"50-5-121.

For the purposes of this part, the term:

(1) 'Department' means the Department of Administrative Services.

(2) 'Georgia resident business' means a business that has maintained a permanent office or place of business in this state for at least one year or a business that has maintained a permanent office or place of business in this state for less than a year but is domiciled and incorporated in this state. Such permanent office or place of business shall not include a post office box, site trailer, or temporary structure.

(2)(3) 'Small business' means a Georgia resident business which is independently owned and operated. ~~In addition, such business must have either fewer than 100 employees or less than \$1 million in gross receipts per year.~~ and which does not exceed the maximum number of employees or amount of annual receipts allowed for a small business and its affiliates to be classified as a small business under the 2007 North American Industry Classification System."

SECTION 3.

Said part is further amended by revising Code Section 50-5-123, relating to the creation of an advisory council, membership, meetings, chairman, and executive director, as follows:
"50-5-123.

There is created an advisory council to the department to be composed of representatives of designated small ~~business enterprises~~ businesses to be named as follows: five by the Governor, two each by the President of the Senate and the Speaker of the House of Representatives, and one by the commissioner of administrative services to serve ex officio as ~~chairman~~ chairperson of the council. The members of the council shall serve without compensation. The council shall meet at least once monthly, or more often when necessary, at the call of the ~~chairman~~ chairperson in consultation with the commissioner of administrative services or his or her designee who shall also serve without additional compensation as executive director of the council."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.